



# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L'État de Poudouchéry

### The Gazette of Puducherry

#### PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற  
வெளியீடு

Publiée par  
Autorité

Published by  
Authority

விலை : ரூ. 14-00

Prix : Rs. 14-00

Price : Rs. 14-00

எண்	புதுச்சேரி	செவ்வாய்க்கிழமை	2010 ஆ	ஏப்ரல் மீ	6 உ
No. } 17	Poudouchéry	Mardi	6	Avril	2010 (16 Chaitra 1932)
No. }	Puducherry	Tuesday	6th	April	2010

GOVERNMENT OF PUDUCHERRY  
INDUSTRIAL DEVELOPMENT (POWER) DEPARTMENT

No. 21016/ID(P)D/09/P3(1).

Puducherry, the 29th March 2010.

#### NOTIFICATION

The Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Standard of Performance) Regulations, 2009, notified by the Joint Electricity Regulatory Commission for the State of Goa and Union Territories, is hereby republished for general information of the public.

(By order)

S. ALPHONSE,  
Under Secretary to Government (Power).

**JOINT ELECTRICITY REGULATORY COMMISSION****(for the State of Goa and Union Territories)****NOTIFICATION**

Gurgaon, the 18th December, 2009

No. JERC-06/2009.— In exercise of powers conferred under Section 181 read with Section 57 of the Electricity Act 2003, and the Electricity (Removal of Difficulties) Order, 2005, and all powers enabling it in that behalf, Joint Electricity Regulatory Commission for the state of Goa and the Union Territories hereby makes the following Regulations:

**1. Short title, commencement, extent and interpretation**

- 1) These Regulations may be called Joint Electricity Regulatory Commission (Standards of Performance) Regulations, 2009.
- 2) These Regulations shall be applicable to whole of the state of Goa and Union Territories of Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Puducherry and Lakshadweep.
- 3) These Regulations shall come into force on the date of their publication in the official Gazette.
- 4) These regulations shall be interpreted and implemented in accordance with, and not at variance from, the provisions of the Act read with the Electricity Rules, and any CEA regulations in this regard.

**2. Definitions**

- 1) In these Regulations, unless the context otherwise requires:
  - (a) "Act" means the Electricity Act, 2003;
  - (b) "Billing cycle" means the period for which the bill is raised;
  - (c) "Breakdown" means an occurrence relating to the equipments of the distribution system of the licensee including electrical line up to the consumer meter that prevents its normal functioning;
  - (d) "CEA" means the Central Electricity Authority referred to in subsection (1) of the Section 70 of the Act;
  - (e) "Commission" means the Joint Electricity Regulatory Commission for the state of Goa and Union Territories;
  - (f) "Electricity Rules" means the Indian Electricity Rules, 1956 to the extent saved by the Act or the rules made under the Electricity Act thereafter;
  - (g) "Electricity Supply Code" means the code as may be notified by the Commission under Section 50 of the Act;
  - (h) "Low Tension (LT)" means a voltage of 230 volts between phase and neutral or 400 volts between any two phases under normal conditions subject to the percentage variation permissible under the Electricity Rules;
  - (i) "Meter" means a device suitable for recording consumption of electrical energy supplied or any other parameter during any specified period and shall include, wherever applicable, other associated equipment such as CT, PT etc Necessary for such recording;  
It shall also include any seal or sealing arrangement provided by the Licensee for preventing unauthorised use of electricity;

- (j) "Service Line" means an electric supply line through which energy is, or is intended to be supplied by the Licensee from a distributing main to a single consumer or group of consumers from the same point of the distributing main.
- (2) Unless the context otherwise requires words or expressions occurring in these regulations and not defined herein but defined in the Act / Electricity Rules/ shall bear the same meaning as respectively defined in the Act/ Electricity Rules/ or in absence thereof, the meaning as commonly understood in the Electricity Supply Industry.

### **3. Guaranteed and Overall standards of performance**

- (1) The Standards specified in the Schedule - I to these Regulations shall be the Guaranteed Standards of Performance, being the minimum standards of service that a Licensee shall achieve, and the Standards specified in the Schedule-II shall be the Overall Standards of Performance which the Licensee shall seek to achieve in the discharge of his obligations as a Licensee.
- (2) The Commission may from time to time add, alter, vary, modify or amend the contents of the Schedule - I and Schedule -II by general or special order(s).

### **4. Compensation**

- (1) The Licensee shall be liable to pay to the affected consumers compensation specified in Schedule - III for Licensee's failure to meet the Guaranteed Standards of Performance specified in Schedule - I. The compensation shall be paid by the Licensee in the manner specified in Schedule III.
- (2) The Licensee shall pay the compensation referred to under sub-regulation (1) above by way of adjustment in the current or future electricity bill(s) as laid down in Schedule-III.

### **5. Information on Standards of Performance**

- (1) For Guaranteed Standards, Licensee shall furnish to the Commission, in a report for every month and in a consolidated annual report, the following information:
- a) The levels of performance achieved by the Licensee with reference to the standards specified in Schedule - I to these regulations;
  - b) The number of cases in which compensation were payable under Regulation (4) above, and the aggregate amount of the compensation payable and paid by the Licensee,
  - c) The number of claims made by the consumer against the licensee for failure to meet the Guaranteed Standards of Performance and the action taken by the Licensee including the reasons for the delay in payment, or non-payment of compensation for such claims; and
  - d) The measures taken by the Licensee to improve performance in the areas covered by Guaranteed Standards and Licensee's targets of improved performance for the ensuing year

- (2) The monthly reports under sub-regulation (1) shall be furnished to the Commission within 15 days of the close of the month and the annual report under the sub-regulation (1) shall be furnished to the Commission within 30 days of the close of the financial year.
- 3) The Licensee shall furnish to the Commission, in a report for every quarter and in a consolidated annual report for each financial year, the following information as to the:
  - a) The level of performance achieved with reference to Overall Standards of Performance specified in Schedule – II of these regulations; and
  - b) The measures taken by the licensee to improve performance in the areas covered by Overall Standards and licensee's targets of improved performance for the ensuing year.
- 4) The quarterly reports under sub-regulation (3) shall be furnished to the Commission within 15 days of the close of the quarter and the annual report under the said sub-regulation (3) shall be furnished to the Commission within 30 days of the close of the financial year.
- 5) The Commission shall, once a year, in the month of May, arrange for the publication of the information in the form of annual report furnished by the licensees under these regulations. It shall also make available monthly/quarterly information on demand and on payment of fee as specified; only pertaining to the current financial year.

#### **6. Exemption**

- (1) The standards of performance specified in these Regulations shall remain suspended during Force Majeure conditions such as war, mutiny, civil commotion, riot, flood, cyclone, lightning, earthquake, lockout, fire affecting the Licensee's installations.
- (2) Non-compliance of a standard contained in these regulations shall not be treated as a violation, and the Licensee shall not be required to pay any compensation to affected consumer(s), if such violation is caused due to grid failure, a fault on the Transmission Licensee's network or on account of instructions given by SLDC, over which the Licensee has no reasonable control.
- (3) The Consumer Grievances Redressal Forum (CGRF) established by the Licensee under Section 42(5) of the Act and the Regulations issued by the Commission in that behalf, may by a general or special order after hearing the Licensee and the affected consumer(s) / consumer groups, release the Licensee from the liability to compensate the consumers for any default in the performance of any standard if the CGRF is satisfied that such default is for reasons other than those attributable to the Licensee and further that the Licensee has otherwise made efforts to fulfill his obligations. Such cases shall be reported by CGRF to the Commission on monthly basis.
- (4) The standards of performance shall be enforced within 6 months for Chandigarh, Dadar & Nagar Haveli, Daman & Diu, Goa and Puducherry and 12 months for Andaman & Nicobar and Lakshadweep from the date of publication of these regulations.

**SCHEDULE - I****7. Guaranteed Standards of Performance**

<b>Nature of cause of power supply failure</b>	<b>Maximum Time Limit for restoration</b>
1.1) Fuse blown out or MCB tripped	Within 4 hours for Urban areas Within 8 hours for Rural areas
1.2) Service line broken/ Service line snapped from the pole	Within 6 hours for Urban areas Within 12 hours for Rural areas
1.3) Fault in distribution line/system	Rectification of fault and thereafter Restoration of normal power supply within 12 hours Temporary Supply to be restored within 4 hours from alternate source, wherever feasible
1.4) Distribution transformer failed/burnt	Replacement of failed transformer : within 24 hours in urban areas within 48 hours in rural areas Temporary Restoration of supply through mobile transformer or another backup source within 8 hours, wherever feasible.
1.5) HT mains failed	Rectification of fault within 12 hours. Temporary restoration of power supply within 4 hours, wherever feasible.
1.6) Problem in grid (33 kV or 66 kV) substation	Repair and restoration of supply within 48 hours. Restoration of supply from alternate source, within 6 hours, wherever feasible. Roaster load shedding may be carried out to avoid overloading of alternate source.
1.7) Failure of Power Transformer	Rectification action plan to be intimated to the Commission within 72 hours Rectification to be completed within the time frame approved by the Commission. Restoration of supply from alternate source within 6 hours, wherever feasible. Roaster load shedding may be carried out to avoid overloading of alternate source.

Note: Licensee shall make arrangements to provide alternate supply in his area of supply within 6 months from the completion of periods mentioned in regulation 6(4), and provision of words "wherever feasible" provided in 1.3 to 1.7 above shall cease to operate after this period.

## 7.2 Quality of Power Supply

### 7.2.1 Voltage variations:

(1) The Licensee shall maintain the voltages at the point of commencement of supply to a consumer within the limits stipulated hereunder, with reference to declared voltage:

- a) In the case of Low Voltage, +6% and -6%;
- b) In the case of High Voltage, +6% and -9%; and,
- c) In the case of Extra High Voltage, +10% and -12.5%.

(2) The voltage problem shall be resolved with the time limits specified in

Table given below:

No.	Cause of problem related to voltage variation	Time limit for the rendering service
1.	Local problem	Within 4 hours
2.	Tap of transformer	Within 3 days
3.	Repair of distribution line / transformer / capacitor	LT system within 30 days, HT system within 120 days. Capacitor within 30 days.
4.	Installation & Up-gradation of HT / LT System	Within 180 days

### 7.2.2 Harmonics

The distribution licensee shall follow the voltage and current Harmonics distribution limits as specified by the CEA in the Grid Connectivity Standards applicable to distribution systems.

## 7.3 Complaints about meters

Subject to the Provisions of the Electricity Supply Code:

Nature of complaint	Time to be taken by Licensee
Complaint lodged for accuracy test of meter	Within 30 days of receiving the Complaint, the Licensee shall test the meter and if needed, the meter shall be replaced within 15 days thereafter
Complaint lodged for defective / stuck meter	Within 30 days of receiving the Complaint, the Licensee shall check the meter and if needed, the meter shall be replaced within 15 days thereafter
Complaint lodged for burnt meter	The Licensee shall restore supply within 6 hours upon receipt of complaint bypassing the burnt meter and new meter shall be provided within 3 days

**7.4 Transfer of Consumer's connection and conversion of services**

The Licensee shall give effect to a request for transfer of consumer's connection, change of category and conversion of the existing services from Low Tension to High Tension and vice-versa within the following time limits:

Nature of request	Time to be taken by Licensee
Change of consumer's name due to change in ownership/occupancy for property	Change shall be effected in two billing cycles.
Transfer of consumer's name to legal heir	Change shall be effected in two billing cycles.
Load reduction	Licensee, after verification, shall sanction the reduced load within 30 days after receipt of the application.
Change of category	Licensee shall inspect the premises and change the category within 10 days from the date of receipt of application
Shifting of meter/service line etc.	(1) One month for giving the estimated amount to the consumer for shifting (2) Within one month of the consumer depositing the estimated amount as mentioned above.

**7.5 Complaints about consumer's bills**

Nature of complaint	Time to be taken by Licensee
Complaints on billing	Licensee shall acknowledge the complaint immediately, if received in person, or within 3 days from the date of receipt if received by post. If no additional information is required, Licensee shall resolve the complaint and intimate the result to the consumer within 15 days of receipt of the complaint. In case any additional information is required, the same shall be obtained, the issue resolved and result intimated to the consumer within 15 days of the receipt of the additional information, whichever is later.

**7.6 Issues relating to disconnection/ reconnection of supply**

Issue under consideration	Time to be taken by Licensee
Non payment of dues by the consumer	Licensee to give 15 days notice to pay the dues and if not paid, the Licensee may disconnect the consumer's installation on the expiry of the notice period.
Request for reconnection	In case consumer requests for reconnection within a

	<p>period of six months after disconnection, the Licensee shall reconnect the consumer's installation within 5 days of payment of past dues and reconnection charges.</p> <p>However in case consumer requests for reconnection after six months of disconnection, the connections would be reconnected only after all the formalities as required in the case of a new connection are complied with by the consumer including payment of pending dues, service line charges, security deposit etc., as applicable, for that Category of Consumer.</p>
Consumer wanting upto date bill	Licensee to carry out special reading and prepare final bill, including all arrears upto the date of billing within 7 days

7.7 The time limits prescribed in this Schedule will be computed from the time when the complaint is filed with the designated offices of the licensee or at the call centers.

## SCHEDULE-II

### 8. Overall Standards of Performance

- (1) **Normal fuse -off calls:** The Licensee shall maintain the percentage of fuseoff calls rectified within the time limits prescribed under sub-paragraph 1.1 of Schedule-I to total calls received at not less than 99%.
- (2) **Line Breakdowns:** The Licensee shall ensure restoration of power supply within the time limits prescribed in sub-paragraph 1.3 of Schedule-I. The Licensee shall achieve this standard of performance in at least 95% of the cases.
- (3) **Distribution Transformer Failures:** The Licensee shall maintain the percentage of distribution transformers replaced within the time limits prescribed in sub-paragraph 1.4 of Schedule-I to the total distribution transformers failed at not less than 95%.
- (4) **Period of scheduled outages:** Interruption in power supply due to scheduled outages, other than the load-shedding, has to be notified in advance and shall not exceed 12 hours in a day and in each such event, the Licensee has to ensure that the supply is restored by 6:00PM. The Licensee shall achieve both of these standards of performance in at least 95% of the cases.
- (5) **Reliability Indices:** The following reliability/outage indices are prescribed by the Institute of Electrical and Electronics Engineers (IEEE) Standard 1366 of 1998. The Licensee shall compute and report the value of these indices to the Commission from 2009 -10 onwards:
  - (a) **System Average Interruption Frequency Index (SAIFI):** The Licensee shall calculate the value as per the formula and methodology specified below.
  - (b) **System Average Interruption Duration Index (SAIDI):** The Licensee shall calculate the value as per the formula and methodology specified below.



(c) **Momentary Average Interruption Frequency Index (MAIFI):** The Licensee shall calculate the value as per the formula and methodology specified below.

- (6) **Method to compute Distribution System Reliability Indices:** The Indices shall be computed by stacking, for each month all the 11KV/33KV feeders in the Licensee's area of supply, and then aggregating the number and duration of all interruptions in that month for each feeder. The Indices would then be computed using the following formulae:

$$1. \text{SAIFI} = \frac{\sum_{i=1}^n (A_i * N_i)}{N_t}$$

Where,

$A_i$  = Total number of sustained interruptions (each longer than 5 minutes) on  $i$ th feeder for the month

$N_i$  = Connected load of  $i$ th feeder affected due to each interruption

$N_t$  = Total connected load at 11KV in the Licensee's area of supply

$n$  = number of 11KV feeders in the licensed area of supply

$$2. \text{SAIDI} = \frac{\sum_{i=1}^n (B_i * N_i)}{N_t}$$

Where,

$B_i$  = Total duration of all sustained interruptions on  $i$ th feeder for the month.

$N_i$  = Connected load of  $i$ th feeder affected due to each interruption

$N_t$  = Total connected load at 11KV in the Licensee's area of supply

$n$  = number of 11KV feeders in the licensed area of supply

$$3. \text{MAIFI} = \frac{\sum_{i=1}^n (C_i * N_i)}{N_t}$$

Where,

$C_i$  = Total number of momentary interruptions (each less than or equal to 5 minutes) on  $i$ th feeder for the month

$N_i$  = Connected load of  $i$ th feeder affected due to each interruption

$N_t$  = Total connected load at 11KV in the Licensee's area of supply

$n$  = number of 11KV feeders in the licensed area of supply

*Note: The feeders must be segregated into rural and urban and the value of the indices must be reported separately for each month.*

4. The Licensee shall propose the target level of these indices annually while submitting ARR. The Commission would thereafter notify these indices.

- (7) **Voltage Unbalance:** The Licensee shall ensure that the voltage unbalance does not exceed 3% at the point of commencement of supply. Voltage Unbalance (VU) shall be computed in the following manner:

$$\text{Voltage Unbalance} = (VH - VL) / VH$$

Where VH and VL are highest and lowest phase Voltages for LT system or highest and lowest phase Voltages for HT & EHT systems.

- (8) **Billing mistakes:** The Licensee shall maintain the percentage of bills requiring modifications following complaints to the total number of bills issued, not greater than 10% for year 2009-10, 5% for year 2010 -11, 2% for year 2011-12 and 1% for 2012 -13 and thereafter.
- (9) **Faulty meters:** The Licensee shall maintain the percentage of defective meters to the total number of meters in service, not greater than 3%.
- (10) **Minimise electrical accidents:** Increase or decrease in no. of electrical accidents compared over a period of time will also be an indicator of the Licensee's performance.

- (11) **The Summary of Overall performance standards is as follows:**

Service area	Overall Standard of Performance
Normal fuse-off calls	At least 99% calls received should be rectified within prescribed time limits in both Cities and Towns and in Rural areas
Line Breakdowns	At least 95% of cases resolved within time limit in both Cities and Towns and in Rural areas
Distribution Transformer (DTR) failure)	At least 95% of DTRs to be replaced within prescribed time limits in both Cities and Towns and in Rural areas
Period of scheduled outage	Maximum duration in a single stretch Restoration of supply by 6:00 PM At least 95% of cases resolved within time limit
Continuity Indices SAIDI SAIFI MAIFI	To be laid down by the Commission based on the targets proposed by the Licensees.
Frequency variations Voltage Unbalance	To maintain supply frequency within range as per IEGC. Maximum of 3% at point of commencement of supply.
Percentage billing mistakes	Not exceeding 10% for year 2009-10, 5% for year 2010-11, 2% for year 2011-12 and 1% for 2012-13 and thereafter.
Percentage faulty meters	Not exceeding 3%.

**SCHEDULE -III****9. Guaranteed Standards of Performance and Compensation to Consumers in Case of Default**

Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
		Compensation payable to individual consumer if the event affects a single consumer	Compensation payable to individual consumer if the event affects more than one consumer
<b>I. Billing</b>			
First Bill	Within 2 billing cycles	10% of the billed amount subject to maximum of Rs. 250/-	Not Applicable
In case bills are raised even after disconnection on consumer's request		Rs. 250/- for each case	
<b>II. Transfer of consumer's connection and conversion of services</b>			
Change of consumer's name due to change in ownership/occupancy for property	Within 2 billing cycles of acceptance of application	Rs. 50 for each day of default	Not applicable
Transfer of consumer's name to legal heir	Within 2 billing cycles of acceptance of application		
Load reduction	30 days after receipt of the application		
Change of category	Within 10 days of acceptance of application		
<b>III. Disconnection/ Reconnection of supply</b>			
Consumer wanting up to date bill	Licensee to carry out special reading and prepare final bill, including all arrears up to the date of billing, within 7 days	Rs. 50 for each day of default	
Request for reconnection	In case consumer requests for reconnection within a period of six months after is connection, the Licensee shall reconnect the consumer's installation within 7 days of payment of past dues and reconnection charges.		

IV. Meter complaints			
Testing of meter	Within 30 days of receipt of complaint	Rs. 25 for each day of default	Not applicable
Replacement of burnt meter	Within 6 hours restoration of supply by bypassing the burnt meter. Meter to be replaced within 3 days	Rs. 50 for each day of default	Not applicable
Replacement of defective meter	Within 15 days of declaring meter defective.	Rs. 50 for each day of default	Not applicable
V. Power supply failure			
Fuse blown out or MCB Tripped (in case fuse or MCB belongs to Licensee i.e. pole or feeder pillar fuse)	Within 4 hours for Urban areas Within 8 hours for Rural areas.	Rs. 10 for each hour of default	Rs. 5 for each hour of default to each consumer affected
Service line broken Service line snapped from the pole	Within 6 hours for Urban areas Within 12 hours for Rural areas.		
Fault in distribution line/system	Rectification of fault and thereafter Restoration of normal power supply within 12 hours		
Distribution transformer failed/burnt	Replacement of failed transformer within 48 hours	Rs. 100 for each day of default	Rs. 50 for each day of default to each consumer affected
HT mains failed	Rectification of fault within 12 hours	Rs. 200 for each day of default	Rs. 100 for each day of default to each consumer affected
Problem in grid (33 Kv or 66 Kv) substation	Repair and restoration of supply within 48 hours		
Failure of Power Transformer	Rectification to be completed within 15 days	Rs. 500 for each day of default per day	Rs. 250 for each day of default to each consumer affected
VI. Voltage fluctuation			
Local problem	Within 4 hours	Rs. 50 for each day of default	Rs. 25 for each day of default to each
Tap of transformer	Within 3 days		

			Consumer affected
Repair of distribution line / transformer / capacitor	Within 30 days	Rs. 100 for each day of default	Rs. 50 for each day of default to each consumer affected
Installation & Up-gradation of HT / LT System	Within 90 days		
Damage to consumer's apparatus due to Voltage fluctuations	Immediate	Repair charges subject to a maximum of Rs 500/- per apparatus	
VII. Complaints/Applications under sub-regulation 7.4 above.	As mentioned in sub-regulation 7.4 above,	Rs 100 for each day of default.	

#### 10. Manner of payment of compensation amount:

- (1) The Licensee shall register every complaint of a consumer regarding failure of power supply, quality of power supply, meters, bills etc., at their designated office(s) which should be within easy reach of the consumer and intimate the complaint number to the consumer.
- (2) The Licensee shall maintain consumer-wise records regarding the Guaranteed standards of performance in order to give a fair treatment to all consumers and avoid any dispute regarding violation of standard.
- (3) All payments of compensation shall be made by way of adjustment against current and/or future bills for supply of electricity, but by not later than 90 days from the date of violation of a Guaranteed Standard unless demanded by the consumer as a direct payment. If the Licensee, however, fails to dispense the compensation amount as laid down in Regulation (9) above the aggrieved consumer(s) can approach the respective Consumer Grievance Redressal Forum for redressal of grievances of consumers to seek such compensation. In such event, additional penalty may be levied on licensee for not faithfully implementing the regulations on case-to-case basis.

J.S. SEETHAWAT, Secy.

[ADVT III/4/Exty./218-109]

#### GOVERNMENT OF PUDUCHERRY INDUSTRIAL DEVELOPMENT (POWER) DEPARTMENT

No. 21016/ID(P)/D/09/P3(2).

Puducherry, the 29th March 2010.

#### NOTIFICATION

The Joint Electricity Regulatory Commission (Treatment of Other Business of Transmission Licensees and Distribution Licensees) Regulations, 2009, notified by the Joint Electricity Regulatory Commission for the State of Goa and Union Territories, is hereby republished for general information of the public.

(By order)

S. ALPHONSE,

Under Secretary to Government (Power).

**JOINT ELECTRICITY REGULATORY COMMISSION FOR THE STATE OF  
GOA AND UNION TERRITORIES**

NOTIFICATION

*(Gurgaon, the 18th December, 2009)*

*No. JERC-05/2009.*— In exercise of powers conferred by sections 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories hereby makes the following Regulations, namely:-

1. *Short title, extent and commencement.*— (i) These Regulations may be called the Joint Electricity Regulatory Commission for Goa and Union Territories (Treatment of Other Businesses of Transmission Licensees and Distribution Licensees) Regulations, 2009.

(ii) These Regulations shall be applicable to all intra-State/Union Territory Transmission Licensees and the Distribution Licensees in the State of Goa and the Union Territories of Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman and Diu, Puducherry and Lakshadweep.

(iii) These Regulations shall come into force on the date of their publication in the official gazette.

2. *Definitions and Interpretation.*— (i) In these Regulations, unless the context otherwise requires :

(a) “Act” means the Electricity Act, 2003 (36 of 2003);

(b) “Commission” means the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories, constituted by the Central Government under sub-section (5) of section 83 of the Act;

(c) “Licence” means a licence granted under section 14 of the Act by the Commission to undertake, Transmission or Distribution of Electricity;

(d) “Licensed Business” shall mean the function and activities the Licensee is required to undertake in terms of the Licence granted, or as a deemed Licensee, under the Act;

(e) “Licensee” means a person who has been granted a licence under section 14 of the Act by the Commission to undertake, Transmission or Distribution of Electricity and includes a deemed licensee;

(f) “Other Business” means any business by the Licensee other than the Licensed Business : Undertake for optimum utilization of its assets.

(ii) Words and expressions used herein and not specifically defined herein but defined in the Act shall have the meanings respectively assigned to them under the Act.

3. *Intimation of other business.*— (1) In the event a Licensee engages in any other business for optimum utilization of the assets, he shall give prior intimation in writing to the Commission of such Other Business, along with, *inter alia*, the following details:

- (a) the nature of the Other Business;
- (b) the proposed capital investment in the Other Business;
- (c) the impact of the use of assets and facilities of the Licensed Business for the Other Business;
- (d) the manner in which the assets and facilities of the Licensed Business and of the Other Business shall be used, demonstrating that there would be no adverse impact on the Licensed Business and on the ability of the Licensee to carry out the duties and obligations of the Licensed Business; and
- (e) a proposal for sharing the revenue derived from the Other Business with the Licensed Business, in the manner envisaged in Regulation 5(3); the proposal should include the methodology used for arriving at the proposed sharing, supported by business plan of the Other Business (including expected annual revenues for the next five years):

Provided that a Transmission licensee shall not engage in the business of trading in electricity.

(2) The Licensee shall have the absolute responsibility to ensure that the utilisation of the assets and facilities of the Licensed Business for Other Business shall not in any manner affect the performance of the obligations under the Licensed Business or the quality of service required from the Licensee, and any such utilisation shall be entirely at the cost and risk of the Licensee.

(3) Failure to submit prior intimation in writing to the Commission will invite a penalty which may extend up to the annual revenue of the Other Business.

4. *Accounts.*— (1) The Licensee shall for each of the Other Business :

- (a) maintain separate accounting records, such as amount of revenue, costs, assets, liabilities, reserves, or provisions which have been charged from or to the Other Business. He shall maintain a description of the basis for the charge or its determination by apportionment or allocation between the various business activities;
- (b) prepare on a consistent basis from such records accounting statements for each financial year comprising a profit and loss account, a balance sheet and a statement of sources and application of funds;
- (c) provide in respect of the accounting statements so prepared, a report by the Auditors in respect of each financial year, stating whether in their opinion the statements have been properly prepared and give a true and fair view of the revenue, costs, assets, liabilities, reserves and provisions reasonably attributable to the business to which the statements relate;
- (d) submit copies of the accounting statements and Auditor's report thereon not later than six months after the close of the financial year to which they relate; and

(e) submit to the Commission such additional information that the Commission may require from time to time.

(2) The Licensee shall ensure and, if so required by the Commission, establish to the satisfaction of the Commission that the Other Business bears an appropriate share of overhead costs and other common costs.

(3) Any person authorised by the Commission shall be entitled to inspect and verify the accounts of the Licensee and the licensee shall render all necessary assistance to such person.

5. *Financial implications.*— (1) The Licensee shall not in any manner utilise the assets and facilities of the Licensed Business or otherwise directly or indirectly allow the Other Business to be undertaken in a manner that the Licensed Business results in subsidising the Other Business.

(2) The Licensee shall not in any manner, directly or indirectly encumber the assets and facilities of the Licensed Business for the Other Business or for any activities other than the Licensed Business.

(3) The Other Business shall pay to the Licensed Business a reasonable proportion of the revenues of the Other Business, subject to a minimum amount which may reflect the allocable costs or market value of the assets and facilities of the Licensed Business utilised/ being utilised for Other Business.

(4) The Commission will determine the reasonable proportion of revenues of the Other Business and the minimum amount to be paid to the Licensed Business, on a case-to-case basis, as and when a licensee informs the Commission about his intention of utilising the assets and facilities for use for any Other Business. In deciding the amount to be paid by the Other Business, the Commission will consider the submissions of the Licensee, but may use any alternate approach or methodology that it considers appropriate :

Provided that as and if deemed appropriate by it, the Commission may determine the reasonable proportion of revenues, etc. to be paid to the Licensed Business in respect of a class of Other Businesses as a whole, instead of on a case-to-case basis.

(5) The proportion of revenues or the minimum amount to be shared from the Other Businesses under sub-regulation (4) above shall be the income of the Licensed Business of the Licensee and shall be utilised for reducing the charges of transmission or wheeling, as the case may be, of electricity by the Licensee.

6. *Powers of the Commission.*— (1) The Commission may at any time direct investigation of the assets and facilities of the Licensed Business for the Other Business of the Licensee with a view to ascertaining adherence to these Regulations, covering, *inter alia*:

(a) whether the costs and expenses are being appropriately adjusted and paid as specified in regulation 5 above; and

(b) whether the revenues of the Other Business are properly accounted for to determine the gross turnover and the amounts payable to the Licensed Business.



(2) The Commission may authorise any officer of the Commission or any professional person or expert or consultant to carry out the investigation under sub-regulation (1) above and submit a report to the Commission.

7. *Issue of orders and practice directions.*— Subject to the provisions of the Electricity Act, 2003 and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of these Regulations and procedure to be followed, and various matters which the Commission has been empowered by these Regulations to direct, and matters incidental or ancillary thereto.

8. *Power to amend.*— The Commission may, at any time, add, vary, alter, modify or amend any of the provisions of these Regulations.

**J.S. SEHRAWAT,**  
Secretary.

[No. ADVT. III/4/Exty./218-I/09].

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GOVERNMENT OF PUDUCHERRY  
**INDUSTRIAL DEVELOPMENT (POWER) DEPARTMENT**

*No. 21016/ID(P)D/09/P3(3).*

*Puducherry, the 29th March 2010.*

NOTIFICATION

The Joint Electricity Regulatory Commission (State Advisory Committee) Regulations, 2009, notified by the Joint Electricity Regulatory Commission for the State of Goa and Union Territories, is hereby republished for general information of the public.

(By order)

**S. ALPHONSE,**  
Under Secretary to Government (Power).

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**JOINT ELECTRICITY REGULATORY COMMISSION FOR THE  
STATE OF GOA AND UNION TERRITORIES**

NOTIFICATION

*(Gurgaon, the 18th December, 2009)*

*No. JERC-07/2009.*— In exercise of the powers conferred on it by section 181 read with section 87 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in that behalf, the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories, hereby makes the following Regulations:

1. *Short title, commencement and interpretation.*— (1) These Regulations shall be called the Joint Electricity Regulatory Commission (State Advisory Committee) Regulations, 2009.

(2) These Regulations shall come into force on the date of their publication in the Official Gazette.

(3) These Regulations shall extend to the whole of the State of Goa and Union Territories of Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman and Diu, Lakshadweep and Puducherry.

2. *Definitions.*— (1) In these Regulations, unless the context otherwise requires :

(a) “Act” means the Electricity Act, 2003 (36 of 2003);

(b) “Commission” means the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories;

(c) “Committee” means the State Advisory Committee constituted in accordance with the provisions of section 87 of the Act.

(2) Words and expressions used and not defined herein shall have the same meaning as assigned to them in the Act.

3. *Term of office of the members of the committee.*— Every Member of the Committee, except the Chairperson and the Member of the Commission shall hold office for a period of two years unless his appointment is terminated earlier in the manner described in these Regulations. On the expiration of the term of any Member, the Commission may in its discretion re-appoint him as such Member.

4. *Objects of the State Advisory Committee.*— The objects of the States Advisory Committee shall be to advise the Commission on—

(i) Major question of policy;

(ii) Matters relating to quality, continuity and extent of service provided by the licensees;

(iii) Compliance by licensees with the conditions and requirements of their license;

(iv) Protection of consumer interest; and

(v) Electricity supply and overall standards of performance by utilities.

5. *Secretary of the committee.*— The Secretary of the Commission shall be the Secretary to the Committee. He shall not be eligible for any extra remuneration on account of this additional work.

6. *Notice of meeting.*— (1) Meetings of the Committee shall be convened by its Secretary under the direction of Chairperson of the Committee, at least once in three months. The Secretary shall, ordinarily, give the members of the Committee, not less than 10 days’ notice, in writing, of the date, time and place of the meeting. Ordinarily, not less than seven days before the meeting, the Secretary shall send to such members, copies of the Agenda of the meeting.

(2) A Member other than the ex-officio Member, who fails to attend three consecutive meetings of the Committee shall forthwith cease to be a Member of the Committee.

7. *Chairperson at the meeting.*— The Chairperson of the Commission shall preside over a meeting of the Committee as its Chairperson:

Provided that when the Chairperson has been prevented from attending the meeting of the Committee, of which he has been given due notice, the Member of the Commission, present, shall preside over that meeting, as Chairperson of the meeting.

8. *Stay and travelling arrangements for the Members of the Committee .—*  
(1) The stay and travelling arrangements for the members of the Committee for attending the meetings of the Committee shall be made by the Commission.

(2) Members of the Committee other than Government servants shall be paid an honorarium at a rate as may be decided by the Commission from time to time.

(3) A member of the Committee, who is a Government servant, shall be entitled to draw travelling allowance, including daily allowance, on the scale admissible to him under the Travelling Allowance Rules of the Government with which he is employed.

9. *Proceedings.*— (1) The proceedings of every meeting of the Committee shall be prepared by its Secretary and shall be approved by the Chairperson of the meeting.

(2) The agenda for the meetings of the Committee shall broadly be in accordance with the subjects on which the Committee is required to be consulted under the Act.

(3) No matter other than that included in the Agenda shall be considered or discussed at a meeting of the Committee except with the special permission of the Chairperson of the meeting.

(4) Attendance by proxy shall not be permitted at the meetings of the State Advisory Committee.

10. *Quorum and Adjourned Meeting.*— (1) Minimum seven members of the Advisory Committee including the *ex-officio* Members shall constitute Quorum at a meeting of the Committee. If there is no Quorum within thirty minutes of the appointed time for the meeting, no meeting shall be held and the Chairperson of the meeting may then and there adjourn the meeting to such future date, as may be directed by him. No further notice need be given for a meeting so adjourned.

(2) If at any time during the progress of the meeting, after its commencement, there ceases to be Quorum, the meeting shall ignore the want of Quorum and shall continue to transact its business.

(3) No matter shall be considered at a meeting adjourned under sub-regulation (1) above other than matters scheduled at the meeting from which the adjournment took place, provided that the Chairperson of the meeting may bring or permit or direct a new matter, which in his view is urgent, to be brought before the adjourned meeting, with or without notice.

11. *Point of order.*— Any point of order raised at meeting shall be decided by the Chairperson presiding at the meeting and his decision shall be final.

12. *Resignation of Member.*— A member of the Committee, other than an *ex-officio* member may, by a written notice to the Secretary of the Commission resign from his office and it shall come into effect from the day the Chairperson of the Commission accepts the same.

13. *Removal of Member.*— (1) The Commission may remove any member, other than an *ex-officio* member, who :

- (a) Has been adjudged as insolvent; or
- (b) Has been convicted of an offence involving moral turpitude; or
- (c) Has become physically or mentally incapable of acting as a member; or
- (d) Has conducted himself in a manner or has so abused his position as to render his continuance as a member prejudicial to public interest or to the objects and purpose of the Act.

(2) The member who is proposed to be removed under sub-regulation (1) above shall be given an opportunity to represent his position to the Chairperson of the Commission.

14. *Savings as to validity of proceedings.*— No proceeding of the Committee shall be invalidated by reason merely of a vacancy or vacancies existing in the Committee or by reason of non-receipt of the notice or copy of the Agenda, provided it was duly issued, or by reason of any irregularity in conduct of the business of the meeting.

*Explanation :* A notice will be deemed to have been duly issued if it is dispatched within the prescribed time to the registered address of the member by post or by messenger.

15. *Invitation to persons other than members to attend.*— To assist the Committee in its deliberations, persons other than Members of the Committee, having special or useful knowledge on a matter of interest to the Committee may be invited by the Chairperson of the Committee to attend any meeting thereof.

16. *Consultation.*— The Commission while deciding issues on which the views of the Committee have been obtained may consider them into account.

17. *General.*— In cases not expressly provided for in these Regulations for conduct of meetings, the decision of the Chairperson presiding at a meeting on matters relating to the conduct of the meeting shall be final.

18. *Miscellaneous.*— (1) The Commission may at any time, add, vary, alter, modify or amend any of the provisions of these Regulations.

2. If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or specific order, do or undertake or permit the Committee to do or undertake things, which in the opinion of the Commission are necessary or expedient to remove the difficulty.

**J.S. SEHRAWAT,**  
Secretary.

[ADVT III/4/Exty./218-I/2009]

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online publication at "<http://styandptg.puducherry.gov.in>"

Government Central Press  
Directorate of Stationery and Printing  
Puducherry-9